

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

CHARLES E. ROSS	§	
v.	§	CIVIL ACTION NO. 6:09cv268
GUY SMITH, ET AL.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATIONS  
OF THE UNITED STATES MAGISTRATE JUDGE  
ON PLAINTIFF'S MOTION FOR INJUNCTIVE RELIEF

The Plaintiff Charles Ross filed this civil rights lawsuit complaining of alleged deprivations of his constitutional rights. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.


Ross has filed a motion seeking injunctive relief. The Magistrate Judge to whom the case was referred has issued a Report recommending that Ross' motion be denied. A copy of this Report was sent to Ross at his last known address, return receipt requested, but no objections have been received; accordingly, he is barred from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the Plaintiff's motion for injunctive relief as well as the Report of the Magistrate Judge. Upon such review, the Court has concluded that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 10) is hereby ADOPTED as the opinion of the District Court. It is further

ORDERED that the Plaintiff's motion for a preliminary injunction (docket no. 7) is hereby DENIED.

**SIGNED this 21st day of December, 2009.**

  
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MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE